

1 Q Hile's?

2 A Confronted by State Police trooper -- this is from --  
3 how come I only have part of this? It's to Detective Bush.

4 Q July 31st letter?

5 A No, July 27th letter. He wrote up only a minimal  
6 investigative report, just enough to avoid a CLEAN user  
7 agreement violation when confronted by PA State Trooper as  
8 assigned to the Commonwealth. Relative to this incident he  
9 vehemently denied having done a missing person's report.

10 The FBI became involved. I don't know who this is  
11 from. I have it here, I'm sure, somewhere. I don't have the  
12 rest of the letter. This is a -- I don't know who this is  
13 from. I have it here somewhere, I'm sure.

14 MR. HENZES: It would be in Fultz's report.

15 THE WITNESS: Is that Fultz?

16 MR. HENZES: Yeah. Read the report. Okay. From  
17 Fultz, Lieutenant Steve --

18 THE WITNESS: (Witness reads report.)

19 BY MR. PURICELLI:

20 Q You can just say he read the letter and mark it and  
21 you save yourself all that.

22 A Okay. There's something else though, I know. I know  
23 I read it. I want to say it's from Ignatz. Is there a letter  
24 in here from Ignatz?

25 MR. HENZES: At some point there should have been.

1 THE WITNESS: Okay

2 MR. HENZES: There is one.

3 THE WITNESS: Let me see. Oh, okay. Here it is.

4 It's to --

5 BY MR. PURICELLI:

6 Q It's the June 6, 2007.

7 A Yeah. I do, however, question the truthfulness of  
8 Detective Bush. As you will recall, Detective Bush repeatedly  
9 denied having a report of the allegedly missing subjects. Only  
10 after you had located the report in the folder did the  
11 detective admit to having completed such a report.

12 Furthermore, only after you twice directed Detective  
13 Bush to allow the investigator to review the report did he do  
14 so. That would have been what I was referring to. And it  
15 might be somewhere else, but I'm not sure.

16 MR. HENZES: Somewhere about five minutes ago there  
17 was a question.

18 MR. PURICELLI: Yeah, it was about the lie.

19 MR. HENZES: Did he find anything that would support  
20 Hill's allegation?

21 THE WITNESS: Oh, I forgot.

22 BY MR. PURICELLI:

23 Q I figured eventually you'd get yourself organized,  
24 Captain.

25 A We were reading in those reports there.

1 Q Um-hum. But you aren't able to identify from all of  
2 the reports any specific lie by Christopher Bush as reported by  
3 Hill, correct?

4 A Well, Hill didn't actually say -- all he said -- yeah,  
5 yeah, he said there was a lie.

6 Q We started that with the July 3.

7 A Yeah, right.

8 Q And I asked you the question, Captain, how do you know  
9 Hill's not lying? Because if he would be lying, he would be  
10 engaged in misconduct?

11 A Absolutely.

12 Q And he specifically wrote that Christopher Bush lied.  
13 He made an accusation, didn't he?

14 A Um-hum.

15 Q And he's required -- and correct me if I'm wrong, if  
16 he makes an accusation, he has to point to the proof for the  
17 accusation, doesn't he?

18 A Um-hum.

19 Q Because the investigation is supposed to be fair and  
20 open minded, correct?

21 A Correct.

22 Q Based on proof?

23 A Sure.

24 Q Not opinion, correct?

25 A Yes.

1 Q And he doesn't site to any particular lie that is  
2 proven in any investigation, does he?

3 A I think that's in the report from --

4 Q We read the report. What was the lie?

5 A That he didn't have the report. He didn't have a  
6 report.

7 Q Didn't have a missing --

8 A That he didn't have a report.

9 Q But he did have a report?

10 A Yes, he did.

11 Q What was the lie? Did he have a missing person  
12 report?

13 A Yeah, it was, I believe, pulled out of the drawer by  
14 the chief.

15 Q It's not a missing person's report, is it?

16 A I don't know what -- they're saying he said he didn't  
17 have a report.

18 Q But he had a report?

19 A Yes, he did.

20 Q He said he didn't have a missing person's report,  
21 didn't he?

22 A Let me go back over what he didn't have.

23 Q Sure.

24 A Or what he did have.

25 Q Second page of his report, 5/17/07 entry. Are you on

1 that page?

2 A No. Which report?

3 MR. HENZES: On the details.

4 MR. PURICELLI: Um-hum.

5 MR. HENZES: Right here.

6 BY MR. PURICELLI:

7 Q Go down six lines.

8 A Okay.

9 Q Starts with Detective Bush. It says, I asked  
10 Detective Bush for a copy of his missing person's report.

11 A Hold on. I'm down here. How far down?

12 Q Right here.

13 A I'm on the wrong page.

14 Q That's all right. You can use mine.

15 MR. HENZES: You're on the right page.

16 THE WITNESS: I am?

17 MR. HENZES: Yeah, but it's ultimately the same thing.  
18 This would be -- let me see that part. Oh, okay.

19 BY MR. PURICELLI:

20 Q That's the problem when you cut and paste. Okay.

21 This is part of this.

22 Now, is there a difference between a report, an  
23 incident report of an event, and a missing child's report?

24 A I'm not sure what kind of report that they would need  
25 if --

1 Q Hill's saying he lied about this. What did you do to  
2 find out what the lie was?

3 A I didn't do anything.

4 Q What did Hile find in his investigation about this  
5 lie?

6 A Nothing.

7 Q What did Hill say the lie was?

8 A He didn't say.

9 Q He didn't?

10 A Correct.

11 Q So he accused the man, another police officer, to  
12 Internal Affairs of lying to police officers; isn't that true?

13 A Yes.

14 Q And there's absolutely no proof that you can point to  
15 me right now of what that lie was?

16 A No. I'm just telling you from this.

17 Q And that says a missing child's report, doesn't it?

18 A Well, we're --

19 Q Semantics, is that what you're saying?

20 A Yeah.

21 Q All right. Let's play the semantics game, Captain.  
22 Is there a report? You went through my files. Did you see a  
23 police report?

24 A Oh, yes, yes, I did.

25 Q There's a report, correct?



1 A Yes.

2 Q And the fact the CLEAN says they pulled a report out,  
3 doesn't it?

4 A I think the chief pulled the report out.

5 Q Out of his desk?

6 A Out of his desk.

7 Q So the existence of a report --

8 A After Detective Bush said there wasn't.

9 Q Said there was no missing child report?

10 A Well, how was the question asked?

11 Q Asked for the report and he said he had no missing  
12 child report. You --

13 A You still have to do an incident report.

14 Q And we have one, don't we?

15 A Correct.

16 Q And he had one, right?

17 A But he said he didn't.

18 Q He didn't have a missing child report?

19 A Okay. That's --

20 Q Is there a complete regulation by the State Police in  
21 there between a missing child and a -- just an incident report?

22 A Is there what?

23 Q Two different separate forms for the State Police?

24 A Yeah.

25 Q Okay.

1 A Correct.

2 Q So did anybody ever go find out in this State Police  
3 investigation whether it was the CLEAN one or the BPR one?

4 A No.

5 Q Whether --

6 A No. I think he was just asked do you have a --  
7 whatever. Well, let me find out where it says they asked for a  
8 missing child report. Is that in here?

9 Q It's highlighted. Start at the fifth line all the way  
10 at the end. It says I asked.

11 A For a copy of his missing person's report that he  
12 filed in conjunction with the NCIC entries he made. I'm  
13 assuming you have to have that.

14 Q It turns out you don't; isn't that true?

15 A No, I don't know. I don't know if it's true.

16 Q If he didn't have one, which he says he didn't, right?  
17 You have a missing child report?

18 A He said he didn't have a report.

19 Q Didn't say he had a missing child report. He was  
20 asked for what kind of report?

21 A He was asked for a missing child report.

22 Q What kind of report was he asked for again, Captain?

23 A Okay. Hold on. Missing child report.

24 Q Okay. Does the State Police have --

25 A (Witness reads report.) Well, apparently according to



1 this they asked for a missing child report.

2 Q Okay. Now, if a captain of the State Police is going  
3 to accuse another police officer of lying, should he at least  
4 be familiar with the rules and regulations of what is and isn't  
5 required that might control --

6 A Well, he --

7 Q -- the conduct?

8 A I'm assuming he -- I don't want to assume. I don't  
9 want to assume, and I don't want to guess, okay.

10 Q Smart man, Captain.

11 A That he just went on what Lieutenant Ignatz and  
12 Trooper Fultz had placed in their report.

13 Q Okay.

14 A Because I don't know what actually -- I had been away  
15 from it for so long. I don't remember what is needed for that  
16 quite candidly.

17 Q So according to the e-mail July 3rd he's been waiting  
18 for the conclusion of a CLEAN investigation?

19 A Right.

20 Q Do you know if Hill has a subordinate named Young?

21 A Okay. I don't know that.

22 Q Do you remember coming across a fax and you wondered  
23 about that?

24 A Yes.

25 Q You mentioned the word Young?

1 A Yes, I do.

2 Q The records in this case show that Young works for  
3 Hill?

4 A Okay.

5 Q Young is the one calling the CLEAN, to start the CLEAN  
6 investigation?

7 A Okay.

8 Q Okay. why is Hill waiting for the CLEAN  
9 investigation? It's been initiated from his troop?

10 A why is he waiting for it?

11 Q Yeah. why is he waiting for the CLEAN investigation  
12 that's initiated as a result of his troop?

13 A You told me not to guess.

14 Q You don't know?

15 A I don't know.

16 Q Okay. Hile's report doesn't say that either, does it?

17 A But, again, if we go back to Hile's report.

18 Q Um-hum.

19 A Compare it to the complaint verification, okay. The  
20 complaint was why they didn't enter it into NCIC, the kids, and  
21 he laughed, okay.

22 Q why he acted in conduct that you concede is  
23 inappropriate for a trooper?

24 A Yes.

25 Q Don't you?

1 A Yeah. And, again -- no, I'm not guessing.

2 Q I don't want to put words in your mouth. A trooper --

3 A And I think I said from the beginning.

4 Q Right.

5 A It would depend on the seriousness, the nature of  
6 laughing, that it could be totally, totally inappropriate, or  
7 it could be --

8 Q All right.

9 A But let me -- let me finish though. I'm going back to  
10 Hile's report. Hile answered the question why they didn't  
11 enter them into NCIC.

12 Q which was? What did Hile say the reason was?

13 A Well, I can read it. We went over it. But because of  
14 all the issues, the ongoing investigations and the report from  
15 '03 or '04. And he goes on with the litany of things. Now, he  
16 did not address the laughing.

17 Q Um-hum.

18 A Okay. But that's what Hile's report reflected from  
19 the complaint verification.

20 Q Now, there's nothing to indicate why Tripp would  
21 refuse the assistance of Newtown Township Police Department in  
22 locating the kids so that their welfare could be determined, is  
23 there?

24 A I'm sorry. There's nothing to indicate?

25 Q Right.

1 A No.

2 Q Part of Bush's complaint against Tripp was he had  
3 information to give him to help find these kids?

4 A He offered him assistance.

5 Q Assistance to find these kids, right?

6 A Right.

7 Q And we're all in agreement --

8 MR. HENZES: He says he refused my offer of further  
9 information. He didn't say assistance. Read what it says in  
10 the verification.

11 MR. PURICELLI: Semantics again, Captain.

12 MR. HENZES: You got to understand the context where  
13 he's sitting. He's reading this. You're -- you're going off  
14 what's written here. You're then interpreting adding  
15 assistance. It doesn't say assistance.

16 MR. PURICELLI: I'm going to ask the Captain.

17 MR. HENZES: Ask the Captain.

18 BY MR. PURICELLI:

19 Q Because he's the one making the decisions here.  
20 Captain, if a police officer, in your 29 years and as a state  
21 trooper, if a police department contacts the State Police about  
22 missing children, okay, says I got information for you, State  
23 Police are supposed to laugh them off and hang up?

24 A No, of course not.

25 Q What's it supposed to do? What's expected conduct of